

## Certificate Under 37 C.F.R. § 3.73(b)

Applicant/Patent Owners: Georgii GEORGIEV, Sergei KISELEV, Egor PROKHORCHOUK, and Elinborg OSTERMANN

Application No./Patent No.: (to be assigned) (U.S. National Phase of PCT/EP98/04287)

Filed: PCT Filing Date: July 10, 1998

Entitled: Tumor Growth Inhibition- and Apoptosis-Associated Genes and Polypeptides and Methods of Use Thereof

Boehringer Ingelheim International GmbH, a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. [X] the assignee of the entire right, title, and interest, or
2. [ ] an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. [X] An Assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_ Frame \_\_\_\_, or for which a copy thereof is attached.

OR

B. [ ] A chain of title from the inventor(s) of the patent application/patent identified above to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
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[ ] Additional documents in the chain of title are listed on a supplemental sheet.

[X] Copies of assignments or other documents in the chain of title are attached.

**[NOTE:** A separate copy (*i.e.*, the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Date: June 30, 2000

Name: Dr. Dieter LAUDIEN

Title: Head of Patent Division

Title: D. LAUDIEN

Signature: D. LAUDIEN

DO NOT FORWARD  
TO ASSIGNMENT BRANCH  
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U. S. National Phase of  
Int'l Appl. No. PCT/EP98/04287  
Docket No.: 0652.1630001/RWE/KKV  
BI Ref.: 12/189 - PCT

## ASSIGNMENT

In consideration of the sum of One Dollar (\$1.00) or equivalent and other good and valuable consideration paid to each of the undersigned inventor(s): Georgii GEORGIEV, Sergei KISELEV, Egor PROKHORCHOUK and Elinborg OSTERMANN the undersigned inventor(s) hereby sell(s) and assign(s) to Boehringer Ingelheim International GmbH (the Assignee) his/her entire right, title and interest, including the right to sue for past infringement and to collect for all past, present and future damages:

*check applicable box(es)*  for the United States of America (as defined in 35 U.S.C. § 100),  
 and throughout the world,

(a) in the invention(s) known as Tumor Growth Inhibition - and Apoptosis-Associated Genes and Polypeptides and Methods of Use Thereof for which application(s) for patent in the United States of America has (have) been executed by the undersigned on Apr. 4, 2000; Apr. 4, 2000; May 10, 2000; & Mar. 14, 2000 (also known as U. S. Application No. to be assigned, the U.S. National Phase of PCT/EP98/04287, filed January 11, 2000, PCT filing date July 10, 1998), in any and all applications thereon, in any and all Letters Patent(s) therefor, and

(b) in any and all applications that claim the benefit of the patent application listed above in part (a), including continuing applications, reissues, extensions, renewals and reexaminations of the patent application or Letters Patent therefor listed above in part (a), to the full extent of the term or terms for which Letters Patents issue, and

(c) in any and all inventions described in the patent application listed above in part (a), and in any and all forms of intellectual and industrial property protection derivable from such patent application, and that are derivable from any and all continuing applications, reissues, extensions, renewals and reexaminations of such patent application, including, without limitation, patents, applications, utility models, inventor's certificates, and designs together with the right to file applications therefor; and including the right to claim the same priority rights from any previously filed applications under the International Agreement for the Protection of Industrial Property, or any other international agreement, or the domestic laws of the country in which any such application is filed, as may be applicable;

all such rights, title and interest to be held and enjoyed by the above-named Assignee, its successors, legal representatives and assigns to the same extent as all such rights, title and interest would have been held and enjoyed by the Assignor had this assignment and sale not been made.

The undersigned inventor(s) agree(s) to execute all papers necessary in connection with the application(s) and any continuing (continuation, divisional, or continuation-in-part), reissue, reexamination or corresponding application(s) thereof and also to execute separate assignments in connection with such application(s) as the Assignee may deem necessary or expedient.

The undersigned inventor(s) agree(s) to execute all papers necessary in connection with any interference or patent enforcement action (judicial or otherwise) related to the application(s) or any continuing (continuation, divisional, or continuation-in-part), reissue or reexamination application(s) thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference or patent enforcement action.

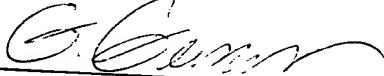
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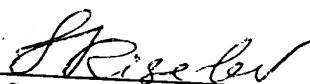
U. S. National Phase of  
Int'l Appl. No. PCT/EP98/04287  
Docket No: 0652.1630001/RWE/KKV  
BI Ref: 12/189 - PCT

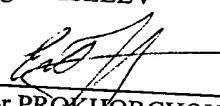
The undersigned inventor(s) hereby represent(s) that he/she has full right to convey the entire interest herein assigned, and that he/she has not executed, and will not execute, any agreement in conflict therewith.

The undersigned inventor(s) hereby grant(s) Robert Greene Sterne, Esquire, Registration No. 28,912; Edward J. Kessler, Esquire, Registration No. 25,688; Jorge A. Goldstein, Esquire, Registration No. 29,021; Samuel L. Fox, Esquire, Registration No. 30,353; David K.S. Cornwell, Esquire, Registration No. 31,944; Robert W. Esmond, Esquire, Registration No. 32,893; Tracy-Gene G. Durkin, Esquire, Registration No. 32,831; Michele A. Cimbala, Esquire, Registration No. 33,851; Michael B. Ray, Esquire, Registration No. 33,997; Robert E. Sokohl, Esquire, Registration No. 36,013; Eric K. Steffe, Esquire, Registration No. 36,688; Michael Q. Lee, Esquire, Registration No. 35,239; Steven R. Ludwig, Esquire, Registration No. 36,203; Raz E. Fleshner, Esquire, Registration No. 34,331; John M. Covert, Esquire, Registration No. 38,759; and Linda E. Alcorn, Esquire, Registration No. 39,588; all of STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C., 1100 New York Avenue, N.W., Suite 600, Washington, D.C. 20005-3934, power to insert in this assignment any further identification that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, executed by the undersigned inventor(s) on the date opposite his/her name.

Date: 04-04, 2000 Signature of Inventor:   
Georgii GEORGIEV

Date: April 4, 2000 Signature of Inventor:   
Sergei KISELEV

Date: May 10, 2000 Signature of Inventor:   
Egor PROKHORCHOUK

Date: March 14, 2000 Signature of Inventor:   
Elinborg OSTERMANN